

# EXHIBIT 7

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF DELAWARE

MICHAEL NINIVAGGI, JAKE MICKEY  
and CAILIN NIGRELLI, individually and on  
behalf of all others similarly situated,

Plaintiffs,

v.

UNIVERSITY OF DELAWARE,

Defendant.

AND

HANNAH RUSSO, individually and on  
behalf of all others similarly situated,

Plaintiffs,

v.

UNIVERSITY OF DELAWARE,

Defendant.

Case Nos. 20-cv-1478-SB

20-cv-1693-SB

Declaration

of

**COLIN B. WEIR**

August 1, 2022

MAY REFERENCE MATERIALS DESIGNATED "CONFIDENTIAL" OR "HIGHLY  
CONFIDENTIAL -- ATTORNEYS' EYES ONLY" UNDER PROTECTIVE ORDER

I, Colin B. Weir, declare as follows:

I am President at Economics and Technology, Inc. ("ETI"), 100 Franklin Street, 6th Floor, Boston, Massachusetts 02110. ETI is a research and consulting firm specializing in economics, statistics, regulation, and public policy.

### **I. QUALIFICATIONS, BACKGROUND, AND EXPERIENCE**

1. I hold a Masters of Business Administration, with honors, from the High Technology program at Northeastern University, Boston, Massachusetts. I hold a Bachelor of Arts degree cum laude in Business Economics from The College of Wooster, Wooster, Ohio. I have provided expert testimony before federal and state courts, the Federal Communications Commission, and state regulatory commissions, and have contributed research and analysis to numerous ETI publications and expert testimony at the state, federal, and international levels. I have consulted on a variety of consumer and wholesale products cases, calculating damages relating to household appliances, food products, herbal remedies, health/beauty care products, electronics, furniture, and computers. My Statement of Qualifications, which outlines my professional experience, publications, and record of expert testimony, is attached hereto as Exhibit 1. This includes a list of all cases in which, during the previous four years, I have testified as an expert at trial or by deposition. Prior to joining ETI, I worked at Stop and Shop Supermarkets for a period of seven years, working as a cash department head, grocery/receiving clerk, and price-file maintenance head.

2. Contained in Exhibit 1 is a list of numerous litigations in which I have participated in the design, execution and/or determination of the economic suitability of conjoint surveys, or have been found by the court to have expertise in conjoint analysis. These cases include, but are not limited to *Sanchez-Knutson v. Ford Motor Company*; *In re Scotts EZ Seed Litigation*; *Hadley v. Kellogg*; *Fitzhenry-Russell v. Dr. Pepper Snapple*; *Kromenhock v. Post*; *Martinelli v. Johnson*

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*& Johnson; Hudock v. LG; Banh v. American Honda; Kaupelis v. Harbor Freight; de Lacour v. Colgate; Bailey v. Rite Aid; and McMorrow v. Mondelez.*

3. I received graduate level training in conjoint analysis as part of my MBA. I take continuing education in advanced conjoint design, execution, and analysis through Sawtooth Software, a leading provider of conjoint analysis software. In addition, I have more than 14 years of experience using conjoint analysis professionally.

## II. ENGAGEMENT

4. I provide this declaration in connection with the cases filed by Michael Ninivaggi, Jake Mickey, Cailin Nigrelli, and Hannah Russo ("Plaintiffs") in the above-captioned action against University of Delaware (the "University" or "Defendant"). I make this declaration based upon my own personal knowledge and, if called as a witness in this action, I would be able to competently testify as to the facts and opinions set forth herein.

5. I have been advised by Counsel for Plaintiffs that individuals<sup>1</sup> paid tuition to the University for the spring semester of 2020, but Plaintiffs allege that in response to the Novel Coronavirus Disease 2019 ("COVID-19") pandemic, the University has not delivered the in-person classes and access to the University campus that Plaintiffs and the putative class contracted and paid for. Plaintiffs and members of the Class allege that they have paid tuition for educational experiences and services that they did not receive due to the closure of campus.<sup>2</sup> I have been further advised that Plaintiffs and the putative Class are therefore seeking a refund of tuition<sup>3</sup> due to the switch from in-person classes and access to the University campus to online

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<sup>1</sup> I have been advised that Counsel for Plaintiff seek certification of a class of "All undergraduate students enrolled in classes at the University of Delaware during the Spring 2020 semester who paid tuition."

<sup>2</sup> See, generally, Consolidated Class Action Complaint, filed September 3, 2021 (the "Complaint").

<sup>3</sup> I understand that Plaintiff describes as tuition the University of Delaware DE Resident Tuition and Non-Resident Tuition, (hereinafter "Tuition").

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classes and not having access to the University campus. Plaintiffs seek, for themselves and Class members, disgorgement of the pro-rated portion of applicable tuition, proportionate to the amount of time that remained in the Spring Semester 2020 when classes moved online, and campus services ceased being provided. I have been further advised that Plaintiffs seek disgorgement of the pro-rated portion of applicable tuition for days when the University did not offer any courses due to the COVID-19 pandemic, including any deviations from the University's original Spring 2020 Semester Academic Calendar.

6. I have been asked by Counsel for Plaintiffs to ascertain whether it would be possible to determine damages on a class-wide basis using common evidence, and if so, to provide a framework for the calculation of damages suffered by the proposed class. As part of my work on damages, I have been asked to work with Steven Gaskin to help design (from an economic perspective), and to evaluate the economic suitability of a conjoint survey (to be designed, implemented, and analyzed by Mr. Gaskin) to measure the overpayment of the University Tuition resulting from the switch from in-person classes and access to the University campus to online classes and not having access to the University campus.

7. ETI is being compensated at the rate of \$625 per hour for my work on this case. The opinions expressed in this declaration are my own, and my compensation is not dependent upon the substance of these opinions or the outcome of the litigation.

8. The documents, data and other materials that I relied upon in forming my opinions are identified throughout my report and in Exhibit 2, attached hereto. In addition, I have relied upon my educational background and more than 18 years of experience.

### **III. FRAMEWORK FOR DAMAGES**

9. As a threshold matter, it is my opinion that it is possible to determine class-wide damages in this case using Defendant's own available records, third-party records, industry resources, and the conjoint analysis that is to be conducted, and analyzed by Mr. Gaskin.

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10. Below, I review the use of conjoint analysis to calculate any Overpayment Damages (wherein consumers would receive the difference in value of the University in-person classes and access to the University campus compared to the value of the online classes that the University provided and not having access to the University campus, for the prorated portion of the semester.)

11. I also review the calculation of prorated tuition for missed days.

12. These methodologies can determine classwide damages across any of the possible liability scenarios that may arise in this litigation.

#### **IV. CALCULATION OF THE OVERPAYMENT:**

##### **CONJOINT ANALYSIS**

13. In this litigation, Overpayment Damages for the Class is the difference in value of in-person classes at the University and access to the University campus compared to the value of the online classes that the University provided and not having access to the University campus.

14. Conjoint analysis is a representative survey technique that permits an economist to analyze the value of various product attributes.<sup>4</sup> Conjoint analysis can be used to determine market valuation/attribute information for a given product or attribute. Conjoint analysis is founded on rigorous statistical and economic principles.<sup>5</sup> Indeed, conjoint analysis has been used in litigation contexts to calculate damages for years.<sup>6</sup>

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<sup>4</sup> Conjoint analysis as a discipline is quite broad, and can be used to facilitate many other sorts of research beyond the specific application that I discuss here.

<sup>5</sup> See, e.g., Sawtooth Software technical papers, available online at <http://www.sawtoothsoftware.com/support/technical-papers>.

<sup>6</sup> *Applying Conjoint Analysis to Legal Disputes: A Case Study*, Wind, Yoram, et al.; *When "All Natural" May Not Be*, Analysis Group Forum (Winter 2013) <http://www.analysisgroup.com/forums/winter-2013/when-all-natural-may-not-be/> (last accessed August 1, 2016); see, e.g., *Khoday v. Symantec Corp.*, 2014 WL 1281600, at \*10 (D. Minn. March 13, 2014); *Sanchez-Knutson v. Ford Motor Company*, 310 F.R.D. 529, 538-39 (S.D. Fl. 2015); *In re: Lenovo Adware Litigation*, 2016 WL 6277245, at \*21 (N.D. Cal. Oct. 27, 2016); *Guido v. L'Oreal, USA, Inc.*, 2014 WL 6603730, at \*5, \*10-\*14 (C.D. Cal. July 24, 2014); *Brown v. Hain Celestial Group, Inc.*, 2014 WL 6483216, at \*19 (N.D. Cal. Nov. 18, 2014); *Microsoft v. Motorola, Inc.*, 904 F.Supp.2d 1109, 1119-20 (W.D. Wa. 2012); *In re*

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15. It is well known that conjoint analysis has a long history of use in education.<sup>7</sup>

16. In a typical conjoint analysis, survey panelists are confronted with various choices of product attributes, prices, and other alternatives, and asked either to rank their preferences, or to choose the most preferred attribute or combination thereof.

17. Through conjoint analysis, by systematically varying the attributes of the product and observing how respondents react to the resulting product profiles, one can statistically gather information about a product's various attributes.

18. Statistical methods (including regression analysis) are then applied to the survey responses to calculate attribute value.<sup>8</sup>

19. Conjoint analysis has a long history of use in industry and is widely accepted and relied upon by enterprises such as Procter & Gamble, Microsoft, General Motors, Ford, and Google.<sup>9</sup> Conjoint is also widely respected by academics and is a regular part of the curriculum

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*Scotts EZ Seed Litig.*, 304 F.R.D. 397, 413-15 (S.D.N.Y. 2015); *Dzielak v. Maytag*, 2017 WL 1034197, at \*6 (D. N.J. March 17, 2017); *TV Interactive Data Corp. v. Sony Corp.*, 929 F. Supp. 2d 1006, 1022 & n.6 (N.D. Cal. 2013); *Fitzhenry-Russell v. Dr Pepper Snapple Group, Inc.*, 2018 WL 3126385 (N.D. Cal. June 26, 2018); *In Re Arris Cable Modem Consumer Litig.*, 2018 WL 3820619, at \*25-\*31 (N.D. Cal. Aug. 10, 2018); *Hadley v. Kellogg Sales Co.*, 2018 WL 3954587, at \*11-\*16 (N.D. Cal. Aug. 17, 2018); *Martinelli v. Johnson & Johnson*, 2019 WL 1429653, at \*3-4 (E.D. Cal. Mar. 29, 2019); *Krommenhock v. Post Foods, LLC*, 2020 U.S. Dist. LEXIS 40463 (N.D. Cal. Mar. 9, 2020); *Hudock v. LG Elecs. USA, Inc.*, 2020 U.S. Dist. LEXIS 54994 (D. Minn. Mar. 30, 2020); *Koenig v. Vizio, Inc.*, Los Angeles Superior Court Case No. BC702266 (L.A. Super. Ct. Aug. 24, 2020); *Banh v. American Honda Motor Co., Inc.*, 2020 WL 4390371 (C.D. Cal. July 28, 2020); *Kaupelis v. Harbor Freight Tools, Inc.*, 2020 WL 5901116 (C.D. Cal. Sep. 23, 2020); *McMorrow v. Mondelez*, 2021 WL 859137 (S.D. Cal. Mar. 8, 2021); *de Lacour v. Colgate-Palmolive Co.*, 2021 WL 1590208 (S.D.N.Y. Apr. 23, 2021); *Bailey v. Rite Aid Corp.*, 2021 WL 1668003 (N.D. Cal. Apr. 28, 2021); *Cardenas v. Toyota Motor Corp.*, Case No.: 18-cv-22798, 2021 U.S. Dist. LEXIS 152920 (S.D. Fla. Aug. 12, 2021); *Prescod v. Celsius Holdings, Inc.*, No. 19STCV09321 (Cal. Super. Ct. Cnty. L.A. Aug 2, 2021); *Bechtel v. Fitness Equipment Svcs., LLC*, No. 1:19-CV-726, 2021 WL 4147766 (S.D. Ohio Sept. 12, 2021); *Milan v. Clif Bar & Co.*, 2021 WL 4427427, (N.D. Cal. Sept. 27, 2021); *Testone v. Barlean's Organic Oils*, No. 19-cv-169-JLS (S.D. Cal.), Dkt. No. 98, Order Granting Motion for Class Certification (Sept. 28, 2021).

<sup>7</sup> *Getting Started With Conjoint Analysis: Strategies for Product Design and Pricing Research*, Bryan K. Orme, Research Publishers 2020 ("Getting Started with Conjoint"), at 157.

<sup>8</sup> See, e.g., *Getting Started with Conjoint*.

<sup>9</sup> *Id.*

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at universities world-wide, such as Duke, Northeastern, the University of South Australia, NYU, and the University of California.

20. Conjoint analysis has been used to analyze the value and importance of product attributes. One recent study used conjoint analysis to determine "whether health claims (claims of health-promoting effects) of food products positively influence product price and consumer choices."<sup>10</sup> Prior to conducting the conjoint survey, the study finds that "[i]n general, consumers consider health and wholesomeness as important aspects of food quality." The study then uses choice-based conjoint analysis to measure the effects of various product attributes on the price of a single product, green tea. The study examines only four product attributes: health claim, country of origin, the size of the product, and price. The study finds that the health claim on green tea is a positive, statistically significant purchase driver, and results in a price premium of approximately 20%.

21. In light of proposed FDA standardized front-of-pack nutrition labeling standards, another study sought "to estimate the relative contribution of declared amounts of different nutrients to the perception of the overall 'healthfulness' of foods by the consumer."<sup>11</sup> The study determined that claims such as "this product has no saturated fat," "this product is fat free," and "this product is low in total fat" were among the 22 most important nutrient content claims. The study concludes that "Conjoint analysis can lead to a better understanding of how consumers process information about the full nutrition profile of a product, and is a powerful tool for the testing of nutrient content claims."

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<sup>10</sup> *Estimating Consumers' Willingness to Pay for Health Food Claims: A Conjoint Analysis*, Mitsunori Hirogaki, International Journal of Innovation, Management and Technology, Vol. 4, No. 6, December 2013.

<sup>11</sup> *Testing Consumer Perception of Nutrient Content Claims Using Conjoint Analysis*, Drewnowski, Adam *et al.*, Public Health Nutrition: 13(5), 688–694.



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22. An application of conjoint analysis to orange juice was used to evaluate which attributes of orange juice consumers value most. Results of the study showed that vitamin C content was the most important purchase driver besides price.<sup>12</sup>

23. The use of conjoint analysis in similar applications is too extensive to document exhaustively here.

24. Conjoint analysis, as a survey tool, does not rely on an existing data set for its analysis because it relies on data generated through the survey process. Common conjoint analysis software would permit the administration of a representative sample survey, and the analysis of the results therefrom.

25. No individualized analyses, or Class-Member-specific inquiry will be required. All relevant data needed to complete the conjoint analysis will be Class-wide, common evidence.

#### **Overpayment: The Gaskin Conjoint Survey**

26. I have been provided with, and have reviewed, a copy of the Expert Report of Steven Gaskin dated August 1, 2022 ("Gaskin Report"). Mr. Gaskin has worked in the field of market research and marketing science models since 1982. Mr. Gaskin is an award-winning, published practitioner of conjoint analysis. I understand that Mr. Gaskin was asked whether it was possible to use conjoint analysis to assess whether Plaintiffs and the Class did not receive the economic value of the University in-person classes and access to the University campus compared to the online classes that the University provided and not having access to the University campus, and if so, to conduct such an analysis.<sup>13</sup>

27. The Gaskin Report describes how conjoint analysis has been used to determine the overpayment for the University in-person classes and access to the University campus compared

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<sup>12</sup> *Evaluation of Packing Attributes of Orange Juice on Consumers' Intention to Purchase by Conjoint Analysis and Consumer Attitudes Expectation*, Gadioli, I. L. et al., *Journal of Sensory Studies* 28 (2013):57-65.

<sup>13</sup> Gaskin Report, at paras 8-12.

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to the online classes that the University provided and not having access to the University campus.

28. I worked with Mr. Gaskin to develop parts of the survey.

29. Mr. Gaskin has measured the overpayment (in percentage terms) caused by the elimination of on-campus education through the use of a Class and Campus Format attribute<sup>14</sup> and price/tuition<sup>15</sup> along with several distractor attributes. The Gaskin survey includes market-based price points for tuition derived, at least in part, from the University website, the admissions websites and third-party websites of University of Delaware competitors, and various college decision websites, which I have also reviewed.<sup>16</sup> Mr. Gaskin also considered information about colleges and universities when selecting the other attributes and levels for inclusion in the conjoint.<sup>17</sup> Mr. Gaskin has also taken into account the fact that the number of students enrolled is a known fact, and is fixed as a matter of history.<sup>18</sup>

30. After reviewing the Gaskin Report, the methodology underlying Mr. Gaskin's conjoint survey, and the documentary evidence relied upon by Mr. Gaskin and incorporated into the survey design, it is my opinion that Mr. Gaskin's conjoint survey is properly designed to measure the overpayment for the University in-person classes and access to the University campus compared to the online classes that the University provided and not having access to the University campus. The survey is especially economically suitable given Mr. Gaskin's use of market based pricing for tuition, and considerations given as to the fixed enrollment of students are part of the Class definition.

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<sup>14</sup> *Id.*, at paras 22, 27, and 46.

<sup>15</sup> *Id.*, at paras 21-22, 25, 29 and 46.

<sup>16</sup> *Id.*, at para 29.

<sup>17</sup> *Id.*, at para 25 *et seq.*

<sup>18</sup> *Id.*, at para 22.

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31. I have relied on conjoint surveys, and the work of Mr. Gaskin, to determine damages in other litigations.<sup>19</sup>

### **Supply-Side Considerations**

32. I understand that Mr. Gaskin considered and accounted for supply-side factors in the determination of his overpayment calculation.<sup>20</sup>

33. I have also considered supply-side factors in my determination of the framework damages. First, unlike in a Lanham Act or intellectual property litigation where a but-for quantity of sales may need to be determined, in this litigation, the historic number of students enrolled is a fact and, in this litigation, it would be antithetical to the concept of class definition to suggest that the quantity supplied be anything other than the actual number of students enrolled by Defendant.

34. Furthermore, if one were to assume, *arguendo*, that Defendant would not have lowered their tuition in concert with demand (indicating that Defendant priced above the market clearing price), then the economic outcome would be that many or all of the students would not have enrolled at all. As such, the overpayment value to be determined by Mr. Gaskin will be an inherently conservative measure.

35. It is also an economic perversion for a defendant engaged in a litigation (with an obvious conflict of interest) to simply state that it would never have adjusted its prices or would not have adjusted them enough so as to meet demand, and therefore damages should be set at

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<sup>19</sup> See, e.g., *Hadley v. Kellogg Sales Co.*, 2018 WL 3954587, at \*11-\*16 (N.D. Cal. Aug. 17, 2018); *Hudock v. LG Elecs. USA, Inc.*, 2020 U.S. Dist. LEXIS 54994 (D. Minn. Mar. 30, 2020); *Koenig v. Vizio, Inc.*, Los Angeles Superior Court Case No. BC702266 (L.A. Super. Ct. Aug. 24, 2020); *Banh v. American Honda Motor Co., Inc.*, 2020 WL 4390371 (C.D. Cal. July 28, 2020); *Kaupelis v. Harbor Freight Tools, Inc.*, 2020 WL 5901116 (C.D. Cal. Sep. 23, 2020); *Bailey v. Rite Aid Corp.*, 2021 WL 1668003 (N.D. Cal. Apr. 28, 2021) *Weiman v. Miami University*; Case No. 2020-00614JD (Oh. Ct. Claims); *Smith v. The Ohio State University*, Case No. 2020-00321JD (Oh. Ct. Claims).

<sup>20</sup> Gaskin Report, at paras 15, 19-20, 21-22, 25-29, 46, and 50.

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zero or something less than actual economic damages. If that were permitted, any defendant could simply postulate its way out of economic damages.

36. I worked closely with Mr. Gaskin to ensure that his survey was appropriately designed to measure the true overpayment attributable to the elimination of on-campus education.

37. Mr. Gaskin and I had several discussions concerning the design of his survey where I provided input based upon economic concepts, and real-world pricing and market data. We also had several discussions concerning how the results of his survey would be interpreted and applied.

38. One of the most important and most frequent topics of discussion between Mr. Gaskin and myself was the data on actual tuition set in the real-world marketplace. These real-world transactions occurred at prices that *already* reflect the supply-side factors then extant in the marketplace. I understand that Mr. Gaskin relied upon these historical data in setting the tuition prices used in his conjoint survey.

39. Another important supply-side factor that Mr. Gaskin and I discussed was the fact that the quantity of the students enrolled is a known quantity, and fixed as a matter of history.

40. In addition to these factors that influenced Mr. Gaskin's survey design, after the completion of the survey, the results will be calculated using Hierarchical Bayes regression.<sup>21</sup> The use of Hierarchical Bayes regression provides for, amongst other factors, the ability to estimate better market-level results from a conjoint survey.

41. The proper use of supply-side factors, individually or in combination, as I have discussed above, permits the Gaskin Survey to estimate a marketplace outcome -- the overpayment due solely to the switch from the University in-person classes and access to the

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<sup>21</sup> Gaskin Report, at 16, 19-20, and 50.

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University campus compared to the online classes that the University provided and not having access to the University campus.

### **The Conjoint Overpayment Percentage**

42. The Gaskin Report describes the method by which the overpayment percentage has been calculated. Gaskin reports that "the reduction in market value for the University of Delaware due to the Closure of the University Campus and change from 'Classes held in person; have access to campus and facilities' to 'Classes held online; no access to campus or facilities' is 15.2%."<sup>22</sup>

## **V. ACADEMIC CALENDAR**

43. I have been provided with the Deposition of Dr. Robin Morgan, Provost of the University of Delaware.<sup>23</sup> Dr. Morgan testified about the University of Delaware academic calendar for the Spring 2020 semester. Dr. Morgan confirmed that Exhibit 49 to the deposition was the University of Delaware academic calendar that was in existence at the start of the semester. She also confirmed that Exhibit 50 to the deposition was an updated version of the University of Delaware academic calendar that reflects changes made by the University during the semester. Dr. Morgan confirmed that the University canceled two days of classes (March 12 and 13), and altered the scheduled spring break, moving the break forward in time, and extending it from one week to two weeks. As confirmed by Dr. Morgan, all told, students missed out on 7 academic days that were originally part of the spring 2020 semester.

44. I have also analyzed these two calendars. My analysis finds that there were 74 academic days slated for the Spring 2020 semester. Of those 74 days, I find that 23 days were

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<sup>22</sup> Gaskin Report, at paras 60-61.

<sup>23</sup> Deposition of Robin Morgan, May 23, 2022 ("Morgan Deposition"), at 24.

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provided as promised--with in-person classes and access to the University of Delaware campus. I agree with Dr. Morgan that 7 academic days were dropped from the calendar. I find that there were an additional 44 days during which the University had switched to remote classes and limited access to the campus.

45. The 7 missed days is 9.46% of the semester -- the % Prorate for the Return of Missed Days analysis below.

46. The 44 days for which the learning format was changed is 59.46% of the semester -- the % Prorate for the Overpayment Damages analysis below.

## **VI. UNIVERSITY OF DELAWARE TUITION PAID**

47. I have been provided with a workbook that analyzes the tuition and aid data for the University of Delaware.<sup>24</sup> These data show the gross tuition for the Spring 2020 semester for undergraduate students at \$221,673,166. These data also shows undergraduate student aid for the same period to have been \$55,690,434. Using these figures, net tuition paid by University of Delaware undergraduate students for the Spring 2020 semester is \$165,982,732.

## **VII. CALCULATION OF DAMAGES**

48. This litigation calls for the following damages calculations:

- Overpayment Damages -- wherein students would receive the difference between the market value of the University in-person classes and access to the University campus compared to the online classes that the University provided and not having access to the University campus; and
- Return of Tuition and Fees for Missed Days.

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<sup>24</sup> Spring 2018-2019-2020 UG Tuition-GRAD Tuition-AID.xlsx

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### Overpayment Damages

49. After completing all of the work as discussed above, the final calculation of total overpayment value damages in this litigation will be as follows.

50. With the price difference due to the elimination of on-campus education on a percentage basis, the calculation of class-wide damages will be:

$$\%Overpayment\ Factor \times \$Tuition \times \%Prorate = Damages$$

51. As discussed above, in this equation, the %Overpayment Factor is the output of the Gaskin conjoint analysis and market simulation showing the change in value due solely to the switch from the University in-person classes and access to the University campus compared to the online classes that the University provided and not having access to the University campus; \$Tuition is the amount the class paid in instructional fees and non-residential fees; and %Prorate is the fraction of the days that students were taking online classes and not having access to the University campus divided by the total days that students would have otherwise had in-person classes and access to the University campus. The calculation is set forth in Table 1 below.

Table 1.			
Overpayment Damages			
% Overpayment Factor	\$ Tuition	% Prorate	Overpayment Damages
15.2%	\$165,982,732	59.46%	\$15,001,250.16

### Return of Tuition for Missed Days

52. I understand that Plaintiffs also seek a refund of tuition for days in the semester that were missed as a result of the transition from in-person classes and access to the University

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campus to online classes and not having access to the University campus. Given this framework, the calculation of class-wide damages will be:

$$\text{\$Tuition} \times \% \text{Prorate} = \text{Damages}$$

53. In this equation, the \$Tuition is the amount the class paid in instructional fees and non-residential fees; and %Prorate is the fraction of the days that students did not have classes at all, divided by the total days that students would have otherwise had in-person classes and access to the University campus. The calculation is set forth in Table 2 below.

Table 2.		
Return of Tuition for Missed Days		
\$ Tuition	% Prorate	Overpayment Damages
\$165,982,732	9.46%	\$15,701,069.24

### VIII. RESERVATION OF RIGHTS

54. My testimony is based upon the information and data presently available to me. Additional, different and/or updated data including market research data may be obtained in advance of trial. I therefore reserve the right to amend or modify my testimony.

### VERIFICATION

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief, and that this declaration was executed at Tisbury, Massachusetts, this 1st day of August, 2022.



Colin B. Weir



**Exhibit 1**

**Statement of Qualifications**  
**of**

**COLIN B. WEIR**

## Statement of Qualifications

### COLIN B. WEIR

Colin B. Weir is Vice President at Economics and Technology, Inc. Mr. Weir conducts economic, statistical, and regulatory research and analysis, and testifies as an expert witness. Mr. Weir's work involves econometric and statistical analysis, multiple regression, surveys, statistical sampling, micro- and macroeconomic modeling, accounting and other economic analysis. Such analysis often involves analysis of databases, call detail records, and other voluminous business records. Mr. Weir is familiar with common statistical and econometric software packages such as STATA and Sawtooth Software. Mr. Weir assists with analysis of economic, statistical and other evidence; and preparation for depositions, trial and oral examinations. Mr. Weir has provided expert testimony before federal and state courts, the FCC, and state regulatory commissions, and has contributed research and analysis to numerous ETI publications and testimony at the state, federal, and international levels. Prior to joining ETI, Mr. Weir worked at Stop and Shop Supermarkets as a cash department head, grocery/receiving clerk, and price-file maintenance head.

Mr. Weir's experience includes work on a variety of issues, including: economic harm and damage calculation; liquidated damages provisions; lost profits; false claims; diminution in value; merger/antitrust analysis; Early Termination Fees (ETFs); Late Fees; determination of Federal Excise Tax burden; and development of macroeconomic analyses quantifying the economic impact of corporate actions upon the US economy and job markets.

Mr. Weir has conducted research and analysis in numerous litigation and regulatory matters on behalf of corporate, government and individual clients, including AT&T, MTS Allstream (Canada), The US Department of Justice, Office of the Attorney General of Illinois, Pennsylvania Department of Revenue, Thomas v. Global Vision, (class action litigation, Superior Court, County of Alameda), Ayyad v. Sprint (class action litigation, Superior Court, County of Alameda), Forcellati v. Hylands (class action, U.S. District Court, Central District of California), and Ebin v. Kangadis Foods (class action, U.S. District Court, Southern District of New York).

Mr. Weir holds an MBA with honors from Northeastern University. He also holds a Bachelor of Arts degree *cum laude* in Business Economics from The College of Wooster.

Mr. Weir is a member of the Boston Economic Club, a business member of the Boston Bar Association, serves on the Board of Trustees of the Waring School, and serves as the comptroller for the Sybaris Investment Partnership.

*Statement of Qualifications – Colin B. Weir*

**Publications and Testimony of Colin B. Weir**

Mr. Weir has co-authored the following:

*Interoperability and Spectrum Efficiency: Achieving a Competitive Outcome in the US Wireless Market* (with Lee L. Selwyn) Economics and Technology, Inc., prepared on behalf of United States Cellular Corporation, July 2012.

*The Price Cap LECs' "Broadband Connectivity Plan": Protecting Their Past, Hijacking the Nation's Future* (with Lee L. Selwyn and Helen E. Golding) Economics and Technology, Inc., prepared on behalf of United States Cellular Corporation, September 2011.

*Regulation, Investment and Jobs: How Regulation of Wholesale Markets Can Stimulate Private Sector Broadband Investment and Create Jobs* (with Lee L. Selwyn, Susan M. Gately, and Helen E. Golding) Economics and Technology, Inc., prepared on behalf of Cbeyond, Inc., Covad Communications Company, Integra Telecom, Inc., PAETEC Holding Corp, and tw telecom inc., February 2010.

*Revisiting Us Broadband Policy: How Re-regulation of Wholesale Services Will Encourage Investment and Stimulate Competition and Innovation in Enterprise Broadband Markets*, (with Lee L. Selwyn, Susan M. Gately, and Helen E. Golding) Economics and Technology, Inc., prepared on behalf of MTS Allstream, February 2010.

*Longstanding Regulatory Tools Confirm BOC Market Power: A Defense of ARMIS* (with Lee L. Selwyn, Susan M. Gately, and Helen E. Golding) Economics and Technology, Inc., prepared on behalf of the AdHoc Telecommunications Users Committee, January 2010.

*Choosing Broadband Competition over Unconstrained Incumbent Market Power: A Response to Bell and TELUS* (with Lee L. Selwyn, Susan M. Gately, and Helen E. Golding) Economics and Technology, Inc., prepared on behalf of MTS Allstream, April 2009.

*The Role of Regulation in a Competitive Telecom Environment: How Smart Regulation of Essential Wholesale Facilities Stimulates Investment and Promotes Competition* (with Lee L. Selwyn, Susan M. Gately, and Helen E. Golding) Economics and Technology, Inc., prepared on behalf of MTS Allstream, March 2009.

*Special Access Overpricing and the US Economy: How Unchecked RBOC Market Power is Costing US Jobs and Impairing US Competitiveness* (with Lee L. Selwyn, Susan M. Gately, and Helen E. Golding) Economics and Technology, Inc., prepared on behalf of the AdHoc Telecommunications Users Committee, August 2007.

*The AWS Spectrum Auction: A One-Time Opportunity to Introduce Real Competition for Wireless Services in Canada* (with Lee L. Selwyn and Helen E. Golding) Economics and Technology, Inc., prepared on behalf of MTS Allstream, June 2007.

*Comparison of Wireless Service Price Levels in the US and Canada* (with Lee L. Selwyn) Economics and Technology, Inc., prepared on behalf of MTS Allstream, May 2007.

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*Hold the Phone! Debunking the Myth of Intermodal Alternatives for Business Telecom Users In New York* (with Susan M. Gately and Lee L. Selwyn) Economics and Technology, Inc., prepared for the UNE-L CLEC Coalition, August 2005.

Mr. Weir has submitted the following testimony during the last four years:

**United States District Court for the District of Delaware, Michael Ninivaggi, Jake Mickey and Cailin Nigrelli, individually and on behalf of all others similarly situated, v. University of Delaware**, Case No. 20-cv-1478-SB, and **Hannah Russo, individually and on behalf of all others similarly situated, v. University of Delaware**, Case No. 20-cv-1693-SB, on behalf of Bursor & Fisher, P.A., Declaration submitted on July 1, 2022.

**United States District Court, Central District of California, Kimberly Banks and Carol Cantwell, on behalf of themselves and all others similarly situated, v. R.C. Bigelow, Inc., a corporation; and DOES 1 through 10, inclusive**, Case No.: 20-cv-06208-DDP (RAOx), on behalf of The Wand Law Firm, Declaration submitted on June 17, 2022.

**United States District Court, Central District of California, Mocha Gunaratna and Renee Camenforte, individually and on behalf of all others similarly situated, v. Dr. Dennis Gross Skincare, LLC, a New York Limited Liability Company**, Case No. 2:20-cv-02311-MWF-GJS, on behalf of Clarkson Law Firm, P.C.; Declaration submitted on March 30, 2022; Deposition on May 20, 2022.

**Superior Court of the State of California, County of Santa Clara, Lance Dutcher, individually and on behalf of all others similarly situated, v. Google LLC, d/b/a YouTube, and YouTube LLC**, Case No. 20CV366905, on behalf of Bursor & Fisher, P.A., Declaration submitted on March 2, 2022; Deposition on May 17, 2022.

**United States District Court, Middle District of Tennessee, Nashville Division, In re Nissan North America, Inc. Litigation; Lakeita Kemp, individually and on, behalf of all others similarly situated v. Nissan North America, Inc., and Nissan Motor Co., Ltd.**, Cases Nos. 3:19-cv-00843, Case No. 3:19-cv-00854, on behalf of DiCello Levitt Gutzler, Declaration submitted February 28, 2022.

**In the Court of Claims, for the State of Ohio, Autumn Adams, individually and on behalf of all others similarly situated v. University of Cincinnati**, Case No. 2021-00458JD, on behalf of Bursor & Fisher, P.A., Declaration submitted February 11, 2022.

**United States District Court, Northern District of California, San Francisco Division, Eric Fishon, individually and on behalf, of all others similarly situated, v. Premier Nutrition Corporation f/k/a Joint Juice, Inc.**, Case No. 3:16-cv-06980-RS, on behalf of Blood, Hurst, & O'Reardon, LLP, Expert Report submitted January 24, 2022; Deposition on March 11, 2022; Oral Testimony and Cross Examination on May 31, 2021.

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**Superior Court for the State of California, for the County of Alameda**, *Michelle Moran, an individual on behalf of herself and all others similarly situated, v. S.C. Johnson & Son, Inc.*, Case No.: RG20067897, on behalf of Clarkson Law Firm, P.C.; Declaration submitted on November 12, 2021.

**United States District Court, Eastern District of Michigan**, *Chapman, et al., v. General Motors, LLC*, Case No. 2:19-cv-12333-TGB-DRG, on behalf of Hagens Berman Sobol Shapiro LLP, Declaration submitted on November 10, 2021; Declaration submitted on March 1, 2022; Deposition on April 13, 2022; Reply Declaration submitted on June 16, 2022.

**United States District Court, Central District of California**, *Terry Sonneveldt, Esther Wright Schneider, Michael Bibbo, Alan Meshberg, Brian Hume, Amie Levasseur, Jean Levasseur, Christopher Lacasse, Beth Pickerd, Dan Pickerd, Tim Halwas, Erin Matheny, Lewis Delvecchio, Jon Sowards, Lawrence Bohana, Monika Bohana, David Dennis, Jacqueline S. Aslan, Michael Gilreath, and Renatta Gilreath, individually and on behalf of all others similarly situated, v. Mazda Motor of America, Inc. D/B/A Mazda North American Operations and Mazda Motor Corporation*, Case No.: 8:19-cv-01298-JLS-KES, on behalf of Kessler Topaz Meltzer & Check, LLP, Declaration submitted on November 3, 2021; Declaration submitted on March 11, 2022; Deposition on April 4, 2022; Declaration submitted July 26, 2022.

**United States District Court, Southern District of Texas, Corpus Christi Division**, *Tyler Allen Click, Troy Bowen, Bailey Henderson, Ethan Galan, Luis G. Ochoa Cabrera, Homero Medina, Michael Guidroz, Scott A. Hines, Bryan J. Tomlin, Quentin Alexander, and Jacqueline Bargstedt, individually and on behalf of all others similarly situated, v. General Motors LLC*, Case No. 2:18-cv-00455-NGR, on behalf of Hagens Berman Sobol Shapiro LLP, Declaration submitted on October 12, 2021.

**In the Court of Claims, for the State of Ohio**, *Lawrence Keba, individually and on behalf of all others similarly situated v. Bowling Green University*, Case No. 2020-00639JD, on behalf of Bursor & Fisher, P.A., Declaration submitted September 29, 2021; Reply Declaration submitted on November 26, 2021.

**In the Court of Claims, for the State of Ohio**, *Mackenzie Weiman and Sarah Baumgartner, on behalf of themselves and all others similarly situated v. Miami University*, Case Nos. 2020-00614JD and 2020-00644JD, on behalf of Bursor & Fisher, P.A., Declaration submitted September 29, 2021; Reply Declaration submitted on November 10, 2021.

**United States District Court, Southern District of New York**, *Eric Fishon and Alicia Pearlman, individually and on behalf of all others similarly situated, v. Peloton Interactive, Inc.*, Case No. 1:19-cv-11711-LJL, on behalf of DiCello Levitt Gutzler and Keller Lenkner, Declaration submitted September 15, 2021; Deposition on October 12, 2021; Reply Declaration submitted on November 1, 2021.

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**In the Court of Claims, for the State of Ohio, Caitlyn Waitt and Jordan Worrell v. Kent State University**, Case No. 2020-00392JD, on behalf of Bursor & Fisher, P.A., Declaration submitted September 15, 2021; Reply Declaration submitted on November 11, 2021.

**United States District Court, Northern District of California, Christopher Julian, Mark Pacana, Paul Fiskratti, and Wayne Lewald, on behalf of themselves and all others similarly situated, v. TTE Technology, Inc., dba TCL North America**, Case No. 3:20-cv-02857-EMC, on behalf of Milberg LLC, Declaration submitted on August 27, 2021; Deposition on October 2, 2021.

**United States District Court for the Northern District of California, Sherri Minor, as an individual, on behalf of herself, the general public and those similarly situated, v. Baker Mills, Inc.; and Kodiak Cakes, LLC**, Case No. 20-cv-02901-RS, on behalf of Gutride Safier, LLP, Declaration submitted August 2, 2021; Deposition on September 2, 2021; Reply Declaration submitted on October 18, 2021.

**In the Court of Claims, for the State of Ohio, Lily Zahn v. Ohio University**, Case No. 2020-00371JD, and *Gila Duke, individually and on behalf of all others similarly situated, v. Ohio University*, Case No. 2021-00036JD, on behalf of Bursor & Fisher, P.A., Declaration submitted July 30, 2021; Deposition on October 6, 2021; Reply Declaration submitted on December 2, 2021; Oral Testimony and Cross Examination on January 18, 2022.

**In the Court of Claims, for the State of Ohio, Brooke Smith, individually and on behalf of all others similarly situated, v. The Ohio State University**, Case No. 2020-00321JD, on behalf of Bursor & Fisher, P.A., Declaration submitted June 24, 2021; Deposition on August 26, 2021; Reply Declaration submitted on September 29, 2021.

**United States District Court, Eastern District of California, Felix Obertman, individually and on behalf of all others similarly situated, v. Electrolux Home Products, Inc.**, Case No. 2:19-cv-02487-KJM-AC, on behalf of Bursor & Fisher, P.A., Declaration submitted on June 14, 2021; Reply Declaration submitted on November 18, 2021.

**United States District Court, Central District of California, Delaney Sharpe, Erin Weiler, Jenna Leder, and Adriana DiGennaro, on behalf of themselves and all others similarly situated, v. GT's Living Foods, LLC**, Case No. 2:19-cv-10920-FMO-GJS, on behalf of Bursor & Fisher, P.A., Declaration submitted on June 2, 2021; Deposition on June 30, 2021.

**United States District Court, Southern District of New York, In re: Elysium Health - ChromaDex Litigation**, Case No. 1:17-cv-07394-LJL, on behalf of Frankfurt Kurnit Klein & Selz PC, Declaration submitted on April 20, 2021; Deposition, on April 26, 2021; Declaration submitted on June 4, 2021.



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**United States District Court, Southern District of Texas, Corpus Christi Division, Darren Fulton and Craig Jude Broussard, each plaintiff is a citizen of the State of Texas, and each plaintiff individually and on behalf of all others similarly situated, v. Ford Motor Company, Case No. 2:18-cv-00456, on behalf of Hagens Berman Sobol Shapiro LLP, Declaration submitted on March 15, 2021; Deposition on April 16, 2021; Reply Declaration submitted on July 21, 2021.**

**United States District Court, Southern District of California, Michael Testone, Collin Shanks, and Lamartine Pierre, on behalf of themselves, all others similarly situated, and the general public, v. Barlean's Organic Oils, LLC, Case No. 3:19-cv-00169-JLS-BGS, on behalf of Law Offices of Jack Fitzgerald, Declaration submitted on March 1, 2021; Reply Declaration submitted on May 27, 2021; Declaration submitted on February 11, 2022; Deposition on March 25, 2022.**

**In The United States District Court, For the District of New Hampshire, Derick Ortiz, individually and on behalf of all others similarly situated, v. Sig Sauer, Inc., Case No.: 1:19-cv-01025-JL, on behalf of Bursor & Fisher, P.A., Declaration submitted on February 26, 2021; Rebuttal Declaration submitted on July 28, 2021; Supplemental Declaration submitted on August 6, 2021; Declaration submitted on August 13, 2021; Oral Testimony and Cross Examination on May 4, 2022.**

**United States District Court, Western District of Washington, Tamara Lohr and Ravikiran Sindogi, on behalf of themselves and all others similarly situated, v. Nissan North America, Inc., and Nissan Motor Co., LTD., Case No.: 2:16-cv-01023-RSM and United States District Court, Northern District of California, San Francisco Division, Sherida Johnson, Subrina Seenarain, Chad Loury, Linda Spry, Lisa Sullivan, and April Ahrens on behalf of themselves and all others similarly situated, v. Nissan North America, Inc., Case No.: 3:17-cv-00517-WHO, on behalf of Simmons Hanly Conroy LLC; Declaration submitted on February 16, 2021; Deposition on May 5, 2021; Reply Declaration submitted on August 13, 2021.**

**Superior Court of the State of California, County of Alameda, Donna Connary, Zoriana Pawluk-Florio, Adrienne Andry, and Paul Terrecillas, on behalf of themselves and all others similarly situated, v. S.C. Johnson & Son, Inc., Case No. RG20061675, on behalf of Feinstein Doyle Payne & Kravec, LLC; Declaration submitted on February 16, 2021.**

**United States District Court, Western District of New York, In re: Rock 'N Play Sleeper Marketing, Sales Practices, and Products Liability Litigation, Case MDL No. 1:19-md-2903, on behalf of Beasley Allen Law Firm, Declaration submitted on February 8, 2021; Deposition on March 11, 2021; Brief Reply Declaration submitted on September 24, 2021; Oral Testimony and Cross Examination on September 27, 2021; Reply Declaration submitted on October 13, 2021.**

**Superior Court for The State of California, County of Los Angeles, Daniel Prescod, individually and on behalf of all others similarly situated, v. Celsius Holdings, Inc. and Does 1 through 10, inclusive, Case No. 19STCV09321, on behalf of Clarkson Law Firm, P.C.; Declaration submitted on December 23, 2020; Deposition on April 14, 2021; Reply Declaration submitted on July 1, 2021.**

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**United States District Court, Central District of California**, *Sharon Willis, individually and on behalf of all others similarly situated, v. Colgate-Palmolive Co.*, Case No. 2:19-cv-08542-JGB-RAOx, on behalf of Bursor & Fisher, P.A.; Declaration submitted on December 17, 2020; Deposition on March 30, 2021; Reply Declaration submitted on July 15, 2021.

**United States District Court, Northern District of California**, *Gordon Noboru Yamagata, and Stamatis F. Pelardis, individually and on behalf of all others similarly situated, v. Reckitt Benckiser LLC*, Case No. 3:17-cv-03529-VC, on behalf of Blood, Hurst, & O'Reardon, LLP, Expert Report submitted December 4, 2020; Expert Report submitted December 15, 2020; Deposition on January 19, 2021.

**In the United States Court of Federal Claims**, *Bryndon Fisher, individually and on behalf of all others similarly situated, v. The United States of America*, Case No. 15-1575C, on behalf of Schubert Jonckheer & Kolbe, Declaration submitted on December 3, 2020; Reply Declaration submitted on October 29, 2021.

**United States District Court, for the Southern District of Ohio, Western Division**, *Laura Bechtel and Troy Thoennes, on behalf of themselves and all others similarly situated, v. Fitness Equipment Services, LLC, dba SOLE Fitness*, Case No. 1:19-cv-00726-MRB, on behalf of Markovits, Stock & DeMarco, LLC, Declaration submitted on December 2, 2020; Reply Declaration submitted on June 14, 2021.

**United States District Court, Northern District of California**, *Thomas Bailey, on behalf of himself and all others similarly situated, v. Rite Aid Corporation*, Case No. 4:18-cv-06926-YGR, on behalf of Greg Coleman Law, Declaration submitted October 19, 2020; Deposition on December 10, 2020; Reply Declaration submitted on March 16, 2021; Declaration submitted on May 3, 2022.

**United States District Court, Northern District of California**, *Jeremiah Revitch, individually and on behalf of all others similarly situated, v. New Moosejaw, LLC and Navistone, Inc.*, Case No. 3:18-cv-06827-VC, on behalf of Bursor & Fisher P.A., Declaration submitted on September 28, 2020, Deposition on November 20, 2020.

**United States District Court, Southern District of Florida**, *Javier Cardenas, Rodney and Pamela Baker, Michelle Monge, and Kurt Kirton, individually and on behalf of all others similarly situated, v. Toyota Motor Corporation, Toyota Motor Sales, U.S.A., Inc., Toyota Motor Engineering & Manufacturing North America, Inc., and Southeast Toyota Distributors, LLC*, Case No.: 18-cv-22798-CIV-FAM, on behalf of Kessler Topaz Meltzer & Check, LLP, Declaration submitted on September 17, 2020; Declaration submitted on October 20, 2020; Deposition on November 12, 2020; Rebuttal Declaration submitted on November 24, 2020; Supplemental Declaration submitted on December 8, 2020; Rebuttal Declaration filed on December 9, 2020.



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**United States District Court, Northern District of California, Ralph Milan, Sarah Aquino, and Elizabeth Arnold, on behalf of themselves, those similarly situated and the general public, v. Clif Bar & Company**, Case No. 3:18-CV-02354-JD, on behalf of Law Office of Paul K. Joseph, PC, Declaration submitted on September 17, 2020; Deposition on October 23, 2020; Reply Declaration submitted on November 27, 2020; Declaration submitted on March 2, 2021; Declaration submitted on April 9, 2021; Deposition on May 7, 2021.

**Superior Court of The State of California, County of Orange, William Brady, on behalf of himself and all others similarly situated, v. Bayer AG; Bayer Corporation; Bayer Healthcare LLC; and Does 1 through 10, inclusive**, Case No. 0-2016-00839608-CU-MC-CXC, on behalf of Wolf Haldenstein Adler Freeman & Herz LLP, Declaration submitted on September 9, 2020; Deposition on December 4, 2020.

**United States District Court, for the Southern District of New York, Matthew Chamlin, individually and on behalf of all others similarly situated, v. Johnson & Johnson and McNeil Nutritionals, LLC**, Case No. 1:19-cv-03852-AJN-DCF, on behalf of Bursor & Fisher P.A., Declaration submitted on August 14, 2020.

**United States District Court, Northern District of California, San Francisco Division, Daniel Zeiger, Individually, and on Behalf of All Others Similarly Situated, v. Wellpet LLC, A Delaware Corporation**, Case No. 3:17-CV-04056-WHO, on behalf of Gustafson Gluek PLLC, Declaration submitted on June 29, 2020.

**United States District Court, Central District of California, Western Division, Roberta Bilbrey, Jimmy Banh, Lawrence Goldman, Mark Peoples, Jamal Samaha, George Quinlan, Kara Drath, Gary Hanna, Sarah Gravlin, Caitlin Kremer, Cindy Ortiz, Alexis Chisari, Robert Moss, Michael Brumer, Dave Jahsman, John Bartholomew, Vimal Lawrence, Kayce Kleehamer, Mark Klein, Brian Klein, Charles Denaro, Adam Pryor, Srikarthik Subbarao, Daniel Allan, Paul Gonzales, Eric Faden, Hamilton Hines, And Kristen Gratton, on behalf of themselves and all others similarly situated, v. American Honda Motor Co., Inc., a California Corporation**, Case No.: 2:19-cv-05984 RGK (ASx), on behalf of Hagens Berman Sobol Shapiro LLP, Declaration submitted on April 9, 2020; Reply Declaration submitted on May 18, 2020; Deposition on June 12, 2020; Declaration submitted July 24, 2020.

**United States District Court, Central District of California, Will Kaupelis and Frank Ortega, individually and on behalf of all others similarly situated, v. Harbor Freight Tools, Inc.**, Case No. 8:19-cv-1203-JVS-DFM, on behalf of Bursor & Fisher, P.A., Declaration submitted on March 2, 2020; Deposition on May 28, 2020; Reply Declaration submitted on September 8, 2020.

**Superior Court of the State of California, County of Los Angeles, Jeffrey Koenig, on behalf of himself and all others similarly situated, v. Vizio, Inc.**, Case No. BC 702266, on behalf of Greg Coleman Law, Declaration submitted February 27, 2020; Deposition on April 30, 2020; Reply Declaration submitted on July 13, 2020; Declaration submitted on August 31, 2021; Deposition on

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October 15, 2021; Supplemental Declaration submitted on May 2, 2022; Deposition on May 12, 2022.

**United States District Court, Northern District of California, San Francisco Division, Kym Pardini and Carrie Wood, on behalf of themselves and all others similarly situated, v. Unilever United States, Inc., a Delaware corporation, Case No. 3:13-cv-01675-SC, on behalf of the Eureka Law Firm, Declaration submitted on February 21, 2020.**

**United States District Court, Northern District of California, San Francisco Division, Jennifer Nemet, Norbert Kahlert, Angela Matt Architect, Inc., Eddie Field, Tonya Dreher, Adam Schell, Bryan Sheffield, Darryl Lecours, Gisbel De La Cruz, Derek Winebaugh, Michael Skena, Melissa St. Croix, Andrew Olson, John Kubala, Brendan Daly, Steven Ferdinand, Ken Galluccio, Steven Rawczak, Mark Miller, Sven Hofmann, Thomas Siehl, III, Adam Schell, Bradley Conner, Benjamin Tyler Dunn, Ingrid Salgado, Michael Bowman, and Jon Mosley, on behalf of themselves and all others similarly situated, v. Volkswagen Group of America, Inc., Volkswagen AG, Audi AG, Audi of America, LLC, Robert Bosch GmbH, Robert Bosch LLC, Richard Dorenkamp, Heinz-Jakob Neusser, Jens Hadler, Bernd Gottweis, Oliver Schmidt, and Jurgen Peter, Case No. 3:17-cv-04372-CRB, on behalf of Hagens Berman Sobol Shapiro LLP, Declaration submitted on February 14, 2020; Reply Declaration submitted on April 30, 2020; Deposition on July 22, 2020.**

**United States District Court, Northern District of California, San Francisco Division, Vicky Maldonado and Justin Carter, individually and on behalf of themselves and all others similarly situated, v. Apple Inc., Applecare Service Company, Inc., and Apple CSC, Inc., Case No. 3:16-cv-04067-WHO, on behalf of Hagens Berman Sobol Shapiro LLP, Declaration submitted on February 11, 2020; Deposition on March 12, 2020; Supplemental Declaration submitted on September 14, 2020; Deposition on November 17, 2020.**

**United States District Court, District of New Jersey, Brian Gozdenovich, on behalf of himself and all others similarly situated, v. AARP, Inc., AARP Services Inc., AARP Insurance Plan, Unitedhealth Group, Inc., and Unitedhealthcare Insurance Company, Case No. 9:18-cv-81258-DMM, on behalf of Bursor & Fisher, P.A., Declaration submitted on January 29, 2020; Declaration submitted on March 26, 2020; Deposition on July 1, 2020; Rebuttal Declaration submitted on July 9, 2020..**

**United States District Court, for the Central District of California, Western Division, Toya Edwards, on behalf of herself and all others similarly situated, v. Walmart Inc., Case No. 1:18-cv-9655, on behalf of Simmons Hanly Conroy LLC, Declaration submitted on December 6, 2019; Deposition on January 9, 2020; Reply Declaration submitted on February 27, 2020; Reply Declaration submitted on June 28, 2021.**

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**United States District Court, District Of Connecticut, William Montgomery and Donald Wood Jr., individually and on behalf of all others similarly situated, v. Stanley Black & Decker, Inc., d/b/a Craftsman**, Case No. 3:19-cv-01182-AVC, on behalf of Bursor & Fisher, P.A., Declaration submitted on October 15, 2019.

**United States District Court, Central District of California, Paul Stockinger, Elizabeth Stockinger, Basudeb Dey, Gailyn Kennedy, Eliezer Casper, Yvette Alley, and Norman Beil on behalf of themselves and all others similarly situated, v. Toyota Motor Sales, U.S.A., Inc., a California corporation**, Case No.: 17-cv-00035-VAP-KS, on behalf of Kessler Topaz Meltzer & Check, LLP, Declaration submitted on September 13, 2019; Deposition on October 10, 2019; Reply Declaration submitted on December 12, 2019.

**United States District Court, Southern District of California, Patrick McMorrow, Marco Ohlin and Melody DiGregorio, on behalf of themselves, all others similarly situated and the general public, v. Mondelez International, Inc.**, Case No. 3:17-cv-02327-BAS-JLB, on behalf of Law Offices of Jack Fitzgerald, Declaration submitted on August 30, 2019; Deposition on October 1, 2019; Omnibus Declaration submitted on December 9, 2019; Declaration submitted on May 4, 2020; Omnibus Declaration submitted on August 28, 2020; Declaration submitted on May 14, 2021; Rebuttal Declaration submitted on July 2, 2021.

**United States District Court for the Eastern District of Wisconsin, Scott Weaver, individually and on behalf of a class of similarly situated individuals, v. Champion Petfoods USA, Inc. and Champion Petfoods LP**, Case No. 2:18-cv-01996-JPS, on behalf of Gustafson Gluek PLLC, Declaration submitted on August 13, 2019; Deposition on August 22, 2019.

**United States District Court, Central District of California, Collin Shanks, on behalf of himself, all others similarly situated, and the general public, v. Jarrow Formulas Inc.**, Case No. 18-cv-9437-PA (AFMx), on behalf of Law Offices of Jack Fitzgerald, Declaration submitted on July 22, 2019; Reply Declaration submitted on August 12, 2019.

**United States District Court, Eastern District Of Michigan, Southern Division, Suresh Persad, Daniel G. Wright and Robert S. Drummond, individually and on behalf of all others similarly situated, v. Ford Motor Company**, Case No. 2:17-cv-12599-TGB-MKM, on behalf of Kessler Topaz Meltzer & Check, LLP, Declaration submitted on June 25, 2019; Declaration submitted on November 26, 2019.

**United States District Court, Southern District of Florida, Fort Lauderdale Division, Milita Barbara Dolan, on behalf of herself and all others similarly situated, v. Jetblue Airways Corporation**, CASE NO.: 18-cv-62193-RNS, on behalf of Robbins Geller Rudman & Dowd, LLP, Declaration submitted on May 23, 2019; Deposition on October 25, 2019.

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**United States District Court, Northern District of California, Joseph Gregorio, Patrick Quiroz and Adam Cooper individually and on behalf of all others similarly situated, v. The Clorox Company**, Case 4:17-cv-03824-PJH, on behalf of Bursor & Fisher, P.A., Declaration submitted on May 15, 2019; Declaration submitted July 12, 2019; Deposition on July 18, 2019; Reply Declaration submitted on August 21, 2019.

**United States District Court, District of Minnesota, Hudock, et al., v. LG Electronics U.S.A., Inc., et al.**, Lead Case No. 0:16-CV-01220-JRT-KMM, Relating to All Consolidated Actions, on behalf of Zimmerman Reed, LLP, Declaration submitted on May 10, 2019; Deposition on June 6, 2019.

**United States District Court, Central District of California, Western Division, Jennifer Reitman and Carol Shoaff, individually and on behalf of a class of similarly situated individuals, v. Champion Petfoods USA, Inc. and Champion Petfoods LP**, Case: 2:18-cv-01736-DOC-JPR, on behalf of Gustafson Gluek PLLC, Declaration submitted on April 8, 2019, Deposition on April, 26, 2019; Supplemental Declaration submitted on June 20, 2019.

**United States District Court, Central District of California, Western Division, Barry Braverman, et al., v. BMW of North America, LLC, et al.**, Case No. 8:16-cv-00966-TJH-SS, on behalf of Hagens Berman Sobol Shapiro LLP, Declaration submitted on March 29, 2019; Deposition on May 30, 2019; Reply Declaration submitted on September 16, 2019; Supplemental Declaration submitted on July 6, 2020.

**United States District Court, Southern District of Florida, West Palm Beach Division, Judith Marilyn Donoff on behalf of herself and all others similarly situated, v. Delta Air Lines, Inc.**, Case No. 9:18-cv-81258-DMM, on behalf of Robbins Geller Rudman & Dowd, LLP, Declaration submitted on March 26, 2019.

**United States District Court, Western District of Washington, Jacob Beaty and Jessica Beaty on, behalf of themselves and all others similarly situated, v. Ford Motor America**, Case No. 3:17-CV-05201-RBL, on behalf of Simmons Hanly Conroy LLC; Declaration submitted on February 22, 2019; Deposition on March 29, 2019; Reply Declaration submitted on July 10, 2019; Deposition on July 30, 2019.

**United States District Court, Southern District of New York, Nicholas Parker, on behalf of himself and all others similarly situated, v. United Industries Corporation**, Case No. 1:17-cv-05353, on behalf of Bursor & Fisher, P.A., Declaration submitted February 3, 2019; Declaration submitted March 21, 2019; Declaration submitted on May 3, 2019; Deposition on July 24, 2019.

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**United States District Court, Northern District of California, Debbie Krommenhock and Stephen Hadley, on behalf of themselves, all others similarly situated, and the general public, v. Post Foods, LLC**, Case No. 3:16-cv-04958-WHO (JSC), on behalf of Law Offices of Jack Fitzgerald, PC, Declaration submitted January 11, 2019; Deposition on March 1, 2019; Declaration on April 24, 2019; Deposition on May 14, 2019; Supplemental Declaration submitted on June 21, 2019; Omnibus Declaration submitted on August 9, 2019; Supplemental Declaration submitted on November 16, 2020; Declaration submitted on January 18, 2021.

**United States District Court, Southern District of New York, Leona Hunter and Anne Marie Villa, on behalf of themselves and all others similarly situated, v. Time Warner Cable Inc.**, Case No. 15-cv-06445-JPO (JLC), on behalf of Bursor & Fisher, P.A. Declaration submitted on November 30, 2018; Deposition on December 21, 2018; Reply Declaration submitted on February 27, 2019.

**United States District Court, Northern District of California, Jeremiah Revitch, on Behalf of Himself and all Others Similarly Situated, v. Citibank, N.A.**, Case No. 17-cv-06907-JCS, on behalf of Bursor & Fisher, P.A. Declaration submitted on November 27, 2018; Deposition on December 28, 2018; Reply Declaration submitted on February 1, 2019; Deposition on February 26, 2019.

**United States District Court, Central District of California, Kaylee Browning and Sarah Basile, on behalf of themselves and all others similarly situated, v. Unilever United States Inc.**, Case No. 8:16-cv-02210, on behalf of Bursor & Fisher, P.A., Declaration submitted on October 22, 2018; Deposition on November 1, 2018; Reply Declaration submitted on November 23, 2018.

**United States District Court, Southern District of New York, Lori Canale, individually, and on behalf of all others similarly situated, v. Colgate-Palmolive Co.**, Case No. 7:16-CV-03308-CS, on behalf of Bursor & Fisher, P.A., Declaration submitted on September 19, 2018.

**Superior Court for the State of California, In and for the County of San Francisco, Michelle Gyorke-Takatri and Katie Silver on behalf of themselves and all others similarly situated, v. Nestlé USA, Inc. and Gerber Products Company**, Case No. CGC 15-546850, on behalf of Stanley Law Group, Declaration submitted on September 7, 2018.

**Superior Court of the State of California, For The County of San Francisco, Deanna Gastelum and Heather Bryden individually and on behalf of all other persons similarly situated, v. Frontier California Inc.**, Case No. CGC-11-511467, on behalf of Bramson, Plutzik, Mahler and Birkhaeuser; Declaration submitted August 13, 2018.

**United States District Court, For the Southern District of New York, Suzanna Bowling, individually and on behalf of all others similarly situated, v. Johnson & Johnson and McNeil Nutritionals, LLC**, Case No. 1:17-cv-03982-AJN, on behalf of Bursor & Fisher, P.A., Deposition on September 6, 2018; Reply Declaration submitted on November 16, 2018.



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**United States District Court, Southern District of New York, Anne De Lacour, Andrea Wright, and Loree Moran individually and on behalf of all others similarly situated, v. Colgate-Palmolive Co., and Tom's of Maine Inc.**, Case No. 1:16-cv-08364-RA, on behalf of Bursor & Fisher, P.A., Deposition on August 28, 2018; Reply Declaration submitted on November 21, 2018; Declaration submitted on February 21, 2020; Reply Declaration submitted April 9, 2020; Declaration submitted on July 22, 2022.

**United States District Court, Northern District of California, San Francisco Division, In re: Chrysler-Dodge-Jeep EcoDiesel® Marketing, Sales Practices, and Products Liability Litigation Dorun Bali, et al., v. Fiat Chrysler Automobiles N.V., FCA US LLC, Sergio Marchionne, VM Motori S.p.A., VM North America, Inc., Robert Bosch GmbH, Robert Bosch LLC, and Volkmar Denner**, Case No. MDL 2777-EMC, on behalf of Lieff Cabraser Heimann & Bernstein, Reply Declaration submitted on September 4, 2018.

**United States District Court, Northern District of California, Stephen Hadley, on behalf of himself, all others similarly situated, and the general public, v. Kellogg Sales Company**, Case No. 5:16-cv-04955-LHK-HRL, on behalf of Law Offices of Jack Fitzgerald, PC, Declaration submitted on September 20, 2018; Deposition on September 28, 2018; Declaration submitted on October 21, 2019; Declaration submitted on July 16, 2020; Declaration submitted on March 10, 2021.

**United States District Court, Northern District of Illinois, Eastern Division, Teresa Elward, Dennis Keesler, Leasa Brittenham, Kathy Beck and Nathaniel Beck, Angelia East, Sarah LaVergne, Tony And Lauren Fitzgerald, Gregory Gray, Bethany Williams, John McLaughlin, Stacy Cisco, and William Ferguson and Cheryl Ferguson, individually and on behalf of all others similarly situated, v. Electrolux Home Products, Inc.**, Case No. 1:15-cv-09882-JZL, on behalf of Greg Coleman Law, Deposition on August 17, 2018.

**United States District Court for the Northern District of California, Jackie Fitzhenry-Russell, an individual, on behalf of herself, the general public and those similarly situated v. The Coca Cola Company, and Does 1-50**, Case No. 5:17-CV-00603-EJD, on behalf of Gutride Safier, LLP, Deposition on October 3, 2018.

**United States District Court, Northern District of California, Jackie Fitzhenry-Russell, Robin Dale, and Gegham Margaryan, as individuals, on behalf of themselves, the general public and those similarly situated, v. Dr. Pepper Snapple Group, Inc., Dr Pepper/Seven Up, Inc., and Does 1-50**, Case No. 5:17-cv-00564-NC (lead); Case No. 5:17-cv-02341-NC (consolidated); Case No. 5:17-cv-04435-NC (consolidated), on behalf of Gutride Safier, LLP, Supplemental Declaration submitted on November 19, 2018.

**United States District Court, Northern District of California, San Jose Division, In re: Arris Cable Modem Consumer Litigation**, Case No. 17-cv-1834-LHK, on behalf of Schubert Jonckheer & Kolbe, Declaration submitted January 31, 2019; Deposition on February 14, 2019; Reply Declaration submitted on March 14, 2019.

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**United States District Court, Southern District of New York, *In re: Amla Litigation***, Case No. 1:16-cv-06593-JSR, on behalf of Levi & Korsinsky LLP, Declaration submitted November 14, 2018; Deposition on November 28, 2018.

**United States District Court, Southern District of California, *Jose Conde, et al., v. Sensa, et al.***, Case No. 14-cv-51 JLS (WVG), on behalf of Bursor & Fisher, P.A., Declaration submitted February 21, 2019.

**United States District Court, Southern District of Ohio, *Tom Kondash, on behalf of himself and all others similarly situated, v. Kia Motors America, Inc., and Kia Motors Corporation***, Case No. 1:15-cv-00506-SJD, on behalf of Gibbs Law Group, LLP, Supplemental Declaration submitted on September 23, 2019.

**United States District Court, Northern District of Illinois, Eastern Division, *Ryan Porter and Haarin Kwon, individually and on behalf of all others similarly situated, v. NBTY, Inc., United States Nutrition Inc., Healthwatchers (DE), Inc., and MET-RX Nutrition, Inc.***, Case No. 15-cv-11459, on behalf of Bursor & Fisher, P.A., Declaration submitted on August 15, 2018; Deposition on October 12, 2018; Reply Declaration on December 21, 2018.

**United States District Court, Northern District of California, *Sandra McMillion, Jessica Adekoya and Ignacio Perez, on Behalf of Themselves and all Others Similarly Situated, v. Rash Curtis & Associates***, Case No. 16-cv-03396-YGR, on behalf of Bursor & Fisher, P.A., Declaration submitted on August 10, 2018; Declaration submitted on November 6, 2018; Declaration submitted on November 12, 2018; Deposition on December 11, 2018; Oral Testimony and Cross Examination May 7 - 8, 2019.

**United States District Court, Southern District Of New York, *Joanne Hart, and Sandra Bueno, on behalf of themselves and all others similarly situated, v. BHH, LLC d/b/a Bell + Howell and Van Hauser LLC***, Case No. 1:15-cv-04804-WHP, on behalf of Bursor & Fisher, P.A., Supplemental Declaration submitted on November 26, 2018; Deposition on December 20, 2018.

**United States District Court, Eastern District Of New York, Brooklyn Division, *Reply All Corp., v. Gimlet Media, Inc.***, Case No. 15-cv-04950-WFK-PK, on behalf of Wolf, Greenfield & Sacks, P.C., Declaration submitted on September 13, 2019; Deposition on October 16, 2019.

**United States District Court, District of New Jersey, *Charlene Dzielak, Shelley Baker, Francis Angelone, Brian Maxwell, Jeffery Reid, Kari Parsons, Charles Beyer, Jonathan Cohen, Jennifer Schramm, and Aspasia Christy on behalf of themselves and all others similarly situated, v. Whirlpool Corporation, Lowe's Home Center, Sears Holdings Corporation, The Home Depot, Inc., Fry's Electronics, Inc., And Appliance Recycling Centers Of America, Inc.***, Case No. 12-cv-0089-KM-JBC, on behalf of Bursor & Fisher, P.A., Rebuttal Declaration submitted on August 10, 2018.

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**United States District Court, Eastern District of New York, *D. Joseph Kurtz, individually and on behalf all others similarly situated, v. Kimberly-Clark Corporation and Costco Corporation***, Case No. 14-01142-JBW, on behalf of Robbins Geller Rudman & Dowd LLP; Supplemental Declaration submitted on July 9, 2019; Supplemental Declaration submitted on July 12, 2019; Oral testimony and cross-examination on August 6-8 and 12, 2019.

**United States District Court, Eastern District of New York, *Anthony Belfiore, on behalf of himself and all others similarly situated, v. Procter & Gamble***, Case No. 14-04090-JBR, on behalf of Wolf Popper LLP; Supplemental Declaration submitted on July 9, 2019; Deposition on July 26, 2019; Oral testimony and cross-examination on August 6-8 and 12, 2019.

**United States District Court, Northern District of California, San Francisco Division, *Erin Allen, on behalf of herself and all others similarly situated, v. Con Agra Foods, Inc.***, Case No. 13-cv-01279-VC, on behalf of Hagens Berman Sobol Shapiro LLP and The Eureka Law Firm; Deposition on March 7, 2019; Reply Declaration submitted on May 22, 2019; Declaration submitted on February 28, 2020.

Mr. Weir has provided expert testimony since 2007, served as a consultative expert in numerous proceedings that did not result in testimony, and has contributed research and analysis to numerous additional publications and testimony at the state, federal, and international levels.



## **Exhibit 2**

### **Documents Reviewed**

- Complaint, filed September 3, 2021
- Declaration Steven P. Gaskin, July 1, 2022
- Expert Report of Steven P. Gaskin, August 1, 2022
- Deposition of Robin Morgan, and calendar exhibits
- Defendant's Answers to Plaintiffs' First Set of Interrogatories
- Defendant's Tuition Data (Spring 2018-2019-2020 UG Tuition-GRAD Tuition-AID)
- Sawtooth Software technical papers, available online at <http://www.sawtoothsoftware.com/support/technical-papers>.
- *When "All Natural" May Not Be*, Analysis Group Forum (Winter 2013).  
[http://www.analysisgroup.com/assessing\\_false\\_advertising\\_claims.aspx](http://www.analysisgroup.com/assessing_false_advertising_claims.aspx).
- *Applying Conjoint Analysis to Legal Disputes: A Case Study*, Wind, Yoram, *et al.*
- *Khoday v. Symantec Corp.*, No. 11-180 (JRT/TNL), (2014 WL 1281600, at \*10 (D. Minn. March 13, 2014)
- *Sanchez-Knutson v. Ford Motor Company*, 310 F.R.D. 529, 538-39 (S.D. Fl. 2015)
- *In re: Lenovo Adware Litigation*, 2016 WL 6277245, at \*21 (N.D. Cal. Oct. 27, 2016)
- *Guido v. L'Oreal, USA, Inc.*, 2014 WL 6603730, at \*5, \*10-\*14 (C.D. Cal. July 24, 2014)
- *Brown v. Hain Celestial Group, Inc.*, 2014 WL 6483216, at \*19 (N.D. Cal. Nov. 18, 2014)
- *Microsoft v. Motorola, Inc.*, 904 F.Supp.2d 1109, 1119-20 (W.D. Wa. 2012)
- *In re Scotts EZ Seed Litig.*, 304 F.R.D. 397, 413-15 (S.D.N.Y. 2015)
- *Dzielak v. Maytag*, 2017 WL 1034197, at \*6 (D. NJ. March 17, 2017)
- *TV Interactive Data Corp. v. Sony Corp.*, 929 F. Supp. 2d 1006, 1022 & n.6 (N.D. Cal. 2013)
- *Briseno v. ConAgra Foods, Inc.*, 844 F.3d 1121 (9th Cir. 2017)
- *Fitzhenry-Russell v. Dr Pepper Snapple Group, Inc.*, 2018 WL 3126385 (N.D. Cal. June 26, 2018)
- *In Re Arris Cable Modem Consumer Litig.*, 2018 WL 3820619, at \*25-\*31 (N.D. Cal. Aug. 10, 2018)
- *Hadley v. Kellogg Sales Co.*, 2018 WL 3954587, at \*11-\*16 (N.D. Cal. Aug. 17, 2018)

- *Martinelli v. Johnson & Johnson*, 2019 WL 1429653, at \*3-4 (E.D. Cal. Mar. 29, 2019)
- *Krommenhock v. Post Foods, LLC*, 2020 U.S. Dist. LEXIS 40463 (N.D. Cal. Mar. 9, 2020)
- *Hudock v. LG Elecs. USA, Inc.*, 2020 U.S. Dist. LEXIS 54994 (D. Minn. Mar. 30, 2020)
- *Koenig v. Vizio, Inc.*, Los Angeles Superior Court Case No. BC702266 (L.A. Super. Ct. Aug. 24, 2020)
- *Banh v. American Honda Motor Co., Inc.*, 2020 WL 4390371 (C.D. Cal. July 28, 2020)
- *Kaupelis v. Harbor Freight Tools, Inc.*, 2020 WL 5901116 (C.D. Cal. Sep. 23, 2020)
- *McMorrow v. Mondelez*, 2021 WL 859137 (S.D. Cal. Mar. 8, 2021)
- *de Lacour v. Colgate-Palmolive Co.*, 2021 WL 1590208 (S.D.N.Y. Apr. 23, 2021)
- *Bailey v. Rite Aid Corp.*, 2021 WL 1668003 (N.D. Cal. Apr. 28, 2021)
- *Cardenas v. Toyota Motor Corp.*, Case No.: 18-cv-22798, 2021 U.S. Dist. LEXIS 152920 (S.D. Fla. Aug. 12, 2021)
- *Prescod v. Celsius Holdings, Inc.*, No. 19STCV09321 (Cal. Super. Ct. Cnty. L.A. Aug 2, 2021)
- *Bechtel v. Fitness Equipment Svcs., LLC*, No. 1:19-CV-726, 2021 WL 4147766 (S.D. Ohio Sept. 12, 2021)
- *Milan v. Clif Bar & Co.*, 2021 WL 4427427, (N.D. Cal. Sept. 27, 2021)
- *Testone v. Barlean's Organic Oils*, No. 19-cv-169-JLS (S.D. Cal.), Dkt. No. 98, Order Granting Motion for Class Certification (Sept. 28, 2021)
- *Getting Started With Conjoint Analysis: Strategies for Product Design and Pricing Research*, Bryan K. Orme, Research Publishers 2020.
- *Estimating Consumers' Willingness to Pay for Health Food Claims: A Conjoint Analysis*, Mitsunori Hirogaki, International Journal of Innovation, Management and Technology, Vol. 4, No. 6, December 2013
- *Testing Consumer Perception of Nutrient Content Claims Using Conjoint Analysis*, Drewnowski, Adam *et al.*, Public Health Nutrition: 13(5), 688–694

- *Evaluation of Packing Attributes of Orange Juice on Consumers' Intention to Purchase by Conjoint Analysis and Consumer Attitudes Expectation*, Gadioli, I. L. et al., Journal of Sensory Studies 28 (2013):57-65

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